
HOUSE BILL No. 1332

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-17-20.

Synopsis: Budgets and levies of appointed bodies. Requires an elected fiscal body to review and approve the proposed budget and tax levy of an appointed governing body of a taxing unit, including school corporations and public library districts, upon a petition by real property owners. Permits review of a proposed budget and tax levy that is less than 5% greater than the prior year's levy. Permits the reduction of a proposed tax levy to an amount that is less than the maximum permissible levy.

Effective: Upon passage.

Adams T, Young D

January 14, 2003, read first time and referred to Committee on Ways and Means.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1332

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-1.1-17-20 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. (a) This section
3 applies

4 (†) to each governing body of a taxing unit that is not comprised
5 of a majority of officials who are elected to serve on the
6 governing body. and

7 (2) if the proposed property tax levy for the taxing unit for the
8 ensuing calendar year is more than five percent (5%) greater than
9 the property tax levy for the taxing unit for the current calendar
10 year.

11 (b) As used in this section, "taxing unit" has the meaning set forth
12 in IC 6-1.1-1-21, except that the term does not include a school
13 corporation or a public library district.

14 (b) A qualified petitioner may file a petition stating that the
15 taxing unit's proposed budget and property tax levy should be
16 submitted for review and adoption under this section. The petition
17 must be filed with the governing body before August 1 for the



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1 budget and property tax levy proposed for the following year.
 2 Before a petition is filed with the governing body, at least one (1)
 3 qualified petitioner must verify the petition under oath in a manner
 4 prescribed by the state board of accounts. If a petition is filed by
 5 the lesser of:

6 (1) two hundred fifty (250) owners of real property within the
 7 taxing unit; or

8 (2) ten percent (10%) of the owners of real property within
 9 the taxing unit;

10 as determined by the county auditor, the appropriate elected fiscal
 11 body (as determined by subsection (c) or (d)) shall review and
 12 decide whether to adopt the proposed budget and property tax
 13 levy. In adopting a proposed budget and property tax levy, the
 14 fiscal body may reduce or modify but may not increase the
 15 proposed budget or property tax levy.

16 (c) If:

17 (1) the assessed valuation of a taxing unit is entirely contained
 18 within a city or town; or

19 (2) the assessed valuation of a taxing unit is not entirely contained
 20 within a city or town but the taxing unit was originally established
 21 by the city or town;

22 the governing body shall submit its proposed budget and property tax
 23 levy to the city or town fiscal body. The proposed budget and **property**
 24 **tax** levy shall be submitted at least fourteen (14) days before the city
 25 or town fiscal body is required to hold budget approval hearings under
 26 this chapter.

27 (d) If subsection (c) does not apply, the governing body of the taxing
 28 unit shall submit its proposed budget and property tax levy to the
 29 county fiscal body in the county where the taxing unit has the most
 30 assessed valuation. The proposed budget and **property tax** levy shall
 31 be submitted at least fourteen (14) days before the county fiscal body
 32 is required to hold budget approval hearings under this chapter.

33 (e) The fiscal body of the city, town, or county (whichever applies)
 34 shall review each budget and proposed **property** tax levy and adopt a
 35 final budget and **property** tax levy for the taxing unit. The fiscal body
 36 may reduce or modify but not increase the proposed budget or
 37 **property** tax levy. However, the fiscal body may not reduce the
 38 proposed tax levy to an amount that is less than the maximum
 39 permissible levy under IC 6-1.1-18.5-3.

40 SECTION 2. An emergency is declared for this act.



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